

JOURNAL OF THE HOUSE.

Tuesday, December 4, 2007.

Met at a quarter after eleven o'clock A.M., in an Informal Session, with Mr. Donato of Medford in the Chair (having been appointed by the Speaker, under authority conferred by Rule 5, to perform the duties of the Chair).

Pledge of
allegiance.

At the request of the Chair (Mr. Donato), the members, guests and employees joined with him in reciting the pledge of allegiance to the flag.

Resignation of Representative Correia of Fall River.

The following communication, received by the Clerk, on Monday, December 3, 2007, was read for the information of the House; and placed on file, to wit:—

December 3, 2007.

The Honorable Salvatore F. DiMasi
Speaker of the House of Representatives
State House, Room 356
Boston, MA 02133

Dear Speaker DiMasi:

Resignation of
Representative
Robert
Correia.

It is with mixed emotions that I inform you of my resignation as State Representative from the 7th Bristol District in Fall River effective Thursday January 31, 2008.

My 30 year tenure in the Legislature brought me memorable friendships and experiences as well as results for the constituency I represent. I leave the General Court with a legacy of the hard work, dedication and burning desire to make life better for others that moves any private citizen to run for public office.

It is this desire that moved me to run for the Office of Mayor of the City of Fall River and for which I was chosen.

I look forward to continue working with all my colleagues on issues of interest to the Commonwealth and the cities and towns we represent.

See you soon.

Sincerely,

ROBERT CORREIA,
*State Representative,
Seventh Bristol District.*

TUESDAY, DECEMBER 4, 2007.

Orders.

The following order (filed this day by Mr. DiMasi of Boston) was referred, under Rule 85, to the committee on Rules:

Ordered, That the House irrevocably accepts the resignation, dated December 3, 2007 and effective January 31, 2008, of Robert Correia as the Representative in the General Court from the 7th Bristol District in Fall River, and declares that, by reason of this resignation, the office of Representative from that district is vacant as of January 31, 2008; and be it further

Seventh
Bristol
Representative
District,
irrevocable
vacancy.

Ordered, That, the precept to be issued by the Speaker, under the provisions of Section 141 of Chapter 54 of the General Laws, appointing a time for the election to fill the vacancy that shall exist in the office of Representative in the General Court from said Seventh Bristol District shall designate Tuesday, March 4, 2008, as the time ordered by the House of Representatives for said election.

Seventh
Bristol
Representative
District,
time for
election to
fill vacancy.

Mr. Scaccia of Boston, for the committee on Rules, then reported that the order ought to be adopted. Under suspension of the rules, on motion of Mr. D'Amico of Seekonk, the order was considered forthwith; and it was adopted.

The following order (filed this day by Mr. Mariano of Quincy) was referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently:

Ordered, That the clerks of the House of Representatives and the Senate be authorized to receive the final report of the special commission established (under Section 84 of Chapter 61 of the Acts of 2007) to review the current state of the homeowners insurance market in the Commonwealth, said report having been due on October 1, 2007.

Homeowners
insurance,
final
report.

Mr. Scaccia of Boston, for the committees on Rules, then reported that the order ought to be adopted. Under suspension of the rules, on motion of Mr. Fesolo of Worcester, the order was considered forthwith; and it was adopted.

Sent to the Senate for concurrence.

Papers from the Senate.

Bills

Establishing a sick leave bank for Thomas D'Intinosanto, an employee of the Department of Mental Retardation (Senate, No. 2349, amended by inserting before the enacting clause the following emergency preamble:

Thomas
D Intinosanto,
sick leave
bank.

"Whereas, The deferred operation of this act would tend to defeat its purpose, which is to establish forthwith a sick leave bank for a certain employee of the department of mental retardation, therefore, it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.") (on a petition);

Establishing a sick leave bank for John Sullivan, an employee of the Trial Court (Senate, No. 2395) (on a petition);

John
Sullivan,
sick leave
bank.

Severally passed to be engrossed by the Senate, were read; and they were referred, under Rule 33, to the committee on Ways and Means.

Petitions were referred, in concurrence, as follows:

Westfield
Pavilion,
development.

Petition (accompanied by bill, Senate, No. 2439) of Michael R. Knapik and Donald F. Humason (with the approval of the mayor and city council) for legislation relative to the financing by the city of Westfield of its portion of public improvements associated with the Westfield Pavilion development. To the committee on Municipalities and Regional Government.

North Adams,
tax
classification.

Petition (accompanied by bill, Senate, No. 2440) of Benjamin B. Downing, Gailanne Cariddi, Ronald A. Boucher, Marie Harpin and other members of the city council (with the approval of the mayor and city council) for legislation regarding property tax classification in the city of North Adams. To the committee on Revenue.

Reports of Committees.

Municipal
buildings,
energy
efficiency.

By Mr. Dempsey of Haverhill, for the committee on Telecommunications, Utilities and Energy, asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 1781) of Thomas J. Calter relative to energy efficiency in municipal buildings,— and recommending that the same be referred to the committee on Ways and Means. Under Rule 42, the report was considered forthwith; and it was accepted. Sent to the Senate for concurrence in the discharge of the committee.

Optometric
patients,
treatment.

By Mrs. Walrath of Stow, for the committee on Health Care Financing, that the recommitted Bill relative to the modernization of optometric patient care (House, No. 2044) ought to pass. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Engrossed Bill.

Bill
enacted.

The engrossed Bill establishing a sick leave bank for Karen Rice, an employee of the Massachusetts teachers' retirement system (see House, No. 4243) (which originated in the House), in respect to which the Senate had concurred in adoption of the emergency preamble, was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Orders of the Day.

Loan
originators.

The engrossed Bill relative to the licensing of mortgage loan originators (see House, No. 4407), being the printed text of section 2 of the engrossed Bill protecting and preserving home ownership (see House, No. 4387, amended), (which had been returned to the House by His Excellency the Governor with recommendation of amendment) (for message, see House, No. 4406), was considered.

The amendment recommended by His Excellency the Governor then was considered in the following form (as approved by the committee on Bills in the Third Reading):

By striking out all after the enacting clause and inserting in place thereof the following:

"Chapter 6 of the General Laws is hereby amended by inserting after section 172I the following section:—

Section 172J. Notwithstanding section 172 or any other general or special law to the contrary, the commissioner of the division of banks may obtain all available criminal offender record information as found in the court activity record information from the criminal history systems board of all applicants for licensure pursuant to chapter 255F. Information obtained under this section shall not be disseminated for any purpose other than to provide mortgage protection for home owners."

The report was accepted; and the amendment was adopted.

Mr. Mariano of Quincy then moved to amend the bill by adding the following two sections:

"SECTION 2. Section 21 of chapter 206 of the acts of 2007 is hereby amended by striking out the second sentence and inserting in place thereof the following sentence:— Said section 11 shall not apply to such mortgages accelerated or whose statutory conditions has been voided under the terms of the mortgage to secure the note, prior to May 1, 2008.

SECTION 3. Section 2 shall take effect as of November 29, 2007."

The amendment was adopted.

Sent to the Senate for its action.

The House Bill relative to the mortgage industry (House, No. 4385) (its title having been changed by the committee on Bill in the Third Reading), reported by the said committee be correctly drawn, was read a third time.

Mortgage
industry.

Pending the question on passing the bill to be engrossed, Mr. Mariano of Quincy moved to amend it in section 2, in lines 25 to 29, inclusive, by striking out the two sentences in those lines and inserting in place thereof the following two sentences.— "Each application for a license shall be accompanied by an investigation fee. Investigation and license fees shall be determined annually by the commissioner of administration under the provisions of section 3B of chapter 7."; and in lines 34 to 38, inclusive, by striking the sentence in those lines and inserting in place thereof the following sentence: "The applicant shall pay directly to such multi-state licensing system any additional fee relating to participation in such multi-state licensing system."

The amendments were adopted; and the bill (House, No. 4385, amended) was passed to be engrossed. Sent to the Senate for concurrence.

Order.

On motion of Mr. DiMasi of Boston,—

Ordered, That when the House adjourns today, it adjourn to meet on Thursday next at eleven o'clock A.M.

Next
sitting.

At a quarter before twelve o'clock noon, on motion of Ms. Rogness of Longmeadow (Mr. Donato of Medford being in the Chair), the House adjourned, to meet on Thursday next at eleven o'clock A.M., in an Informal Session.